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Hon. Commissioner of Patents and Trademarks, Washington, D.C. 20231.
By Fax

Complaints Against Examiner Mr. Gilberto Barron Jr.

Dear Group 2100 Director,

I have to apologize for my previous compliant letters against Examiner Barron , which is being based on a wrong understanding of 35 U.S.C. § 102(e) of mine.

But I would still like to draw your attention to the issue that, in Examiner Mr. Barron's advisory action dated Jan 14,2003, he showed that he had made no consideration to my arguments for patentability of independent claims 16,18, 20, 21 of my application 09/112,276.

Those arguments have been submitted repeatedly several times in my "Formal Response to Final Office Action", "Formal Response to Advisory Action Dated Sept 30 2002" and finally, "Second Response to Advisory Action Dated Sept 30 2002", under the heading "Comment", in which I overcome the 103(e) rejection by pointing out the deficiencies in Haas et al and Wiedemer, both reference whole document considered, not just the claim therein.

The Examiner has made no comment regarding my claims 16,18, 20, 21 of my application 09/112,276 in his previous advisory actions, is he still considering them with no final decision being made ?

Further, the Examiner seemed to be ignoring some of my arguments by making an excuse that "Applicant has not addressed pending claim language to overcome the prior art of Haas".

I shall no difficulty in using the pending claim language in my arguments. But which pending claims and which limitations thereof is the Examiner referring to ?

This problem is also found in his advisory action dated Jan 13, 2003 for the mother application 08/587448.

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Is the work of Supervisory Examiner Mr. Gilberto Barron Jr. being supervised by anyone ? and Who is the person I should contact directly ?

With regards,
Ho Keung, Tse.

